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ART UNIT	PAPER NUMBER
3621	

DATE MAILED: 05/09/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _22 February 2002_.

2a)☒ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1, 4—26, and 28-36_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1, 4—26, and 28-36_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some *   c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _5/13/02, 9/25/03. 06/30/03_

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____ .

DETAILED ACTION

Status of Claims

1.   Claims 2, 3. and 27 are cancelled. Claims 1, 4, 7, 12, 13 are amended. Claims

28-36 are newly added. Claims 1, 4-26, and 28-36 are pending in this application per

the response to office action filed

Response to Arguments

2.   Applicant's arguments filed February 15, 2006 have been fully considered but

they are not persuasive.

3.   With regard to amended **claim 1**, Applicant argues that Apte lacks the recited

features "provisioning a set of computer readable instructions with transaction-specific

information comprising said transaction identifier and said private network access

information then sending a message addressed to a client over the public Internet with

set of computer readable instructions."

In response, the Examiner respectfully disagree with the Applicant and submits

that Apte discloses the feature "provisioning a set of computer readable instructions with

transaction-specific information comprising said transaction identifier and said private

network access information then sending a message addressed to a client over the

public Internet with set of computer readable instructions." (see col. 3, lines 28-58; col.

6, lines 28-30 "sequence of program segments instructing client what to do"). Applicant

is reminded that the user computer receives the purchase order number which is

equivalent to transaction-specific information...the vendor directs or instructs the user

computer to contact the appropriate transaction server and may further provide the user

with the server's telephone number. Furthermore, the computer looks up or searches for

the transaction server telephone number. The user computer is incapable of searching

or looking up the transactions server's telephone number if there is no executable code

that instructs the computer to do so. Thus, Apte does discloses all the recited features

of claim 1 as shown in the rejection below.

4.   With regard to **claim 12**, Applicant argues that Apte does not do "sending a

message addressed to said client over said public Internet with a set of computer

readable instructions having transaction-specific information" and "prior to said sending

said transaction message, sending a set-up message with a set of computer executable

instructions for determining resources of said client for connecting to said private

network."

In response the Examiner respectfully disagree with the Applicant

characterization of Apte's invention. In Apte, as conceded by the Applicant, the user is

provided with software prior to sending the message to be executed on the computer

which automatically performs the transition in communication from the WWW to

transaction server. (col. 3, lines 15-27; "the software is downloaded and setup occurred

prior to sending"; see also col. 4, lines 44-55). Furthermore the user computer in Apte

does determine client resources and actually does a setup step when it first uses the

URL of the vendor and attempt to retrieve the phone number for the transaction server

from a locally stored directory. If the number is not found, the computer automatically

dials the directory located on the secure network and download the appropriate

number...and not found prompts the user to provide the telephone number and aborts

the transaction if all fails (see col. 4, lines 8-30). Thus Apte, does determine the client

resources for connecting to said private network.

5.   With regard to **claim 22**, Applicant's arguments Applicant's arguments with

respect to claim 22 have been considered but are moot in view of the new ground(s) of

rejection.

6.   With regard to **claim 26**, Applicant argues that Apte does not disclose "dial and

establish a connection to a specific telephone number ... and receive a message over

said connection with a ... URL ... and password."

In response, the examiner first withdraws Dent reference and replaces it with

Matsuda as shown in the rejection below. Examiner further assert that Apte, does

disclose "dial and establish a connection to a specific telephone number ... and receive

a message over said connection with a ... URL but not the password as shown in the

rejections. Even though it is inherent in secure networks that users will be expected to

provide a password in order to make a connection or logon to the network, Examiner

have rather provided Matsuda reference which does discloses the feature as recited by

the invention and as shown in the rejection below.

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

7.   **Claim 36**, is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

The specification as originally filed contains no support for "lack a modem". There are new claims without support in the specification. This is the first instance of this invention that is unrelated and unsupported by the original filing. Cancellation of the new matter is required.

8.   **Claims 26 and 36,** is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 36, is simply vague and ambiguous and fails to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

As per claim 26, it is not clear what is meant by "display a password."

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 4-16, 18-21, and 34, are rejected under 35 U.S.C. 102(b) as being

anticipated by Apte U.S. Patent No. 5,778,173.

9.   As per **claim 1,** Apte discloses a method for enhancing security of network

transactions, comprising:

receiving, private network access information for accessing a private network and

a transaction identifier from a transaction server system (see figs. 1 and 2; col. 3, lines

28-59; "the user's computer receives the purchase order number (transaction-

specific)...the vendor directs or instructs the user to contact the appropriate transaction

server and may further provide the user with the server's telephone number");

provisioning a set of computer readable instructions with transaction-specific

information comprising said transaction identifier and said private network access

information (col. 1, lines 45-67; col. 3, lines 28-59; col. 4, lines 1-25; "the computer must

read or execute certain instruction in order to find/search for the transaction server's

phone number");

sending a message addressed to said client over said public Internet with a set of

computer readable instructions having transaction-specific information, said set of

computer readable instructions comprising access instructions for connecting said client

to a transaction server system on a private network such that sensitive information

relating to said transaction is directed to said transaction server system (col. 3, lines 28-

67; col. 4, lines 1-25, 30-43).

10.   As per **claim 4**, Apte further discloses the method wherein said information

relating to a pending transaction comprises a vendor identifier, said transaction

identifier, and a purchase amount (col. 1, lines 45-65).

11.   As per **claim 5**, Apte further discloses the method wherein said private network

access information comprises a flat rate telephone number (col. 3, lines 39-59).

12.   As per **claim 6**, Apte further discloses the method wherein said private network

access information comprises a fixed charge per minute telephone number and a

number of minutes (col. 3, lines 39-59).

13.   As per **claim 7**, Apte further discloses the method wherein said sending

comprises sending a location of said set of computer readable instructions (col.4, lines

8-29).

14.   As per **claim 8**, Apte further discloses the method wherein said location is a

universal resource locator ("URL") (col. 4, lines 8-29).

15.   As per **claim 9**, Apte further discloses the method wherein said location of said

set of computer readable instructions is sent to one of said vendor server and said client

(col.3, lines 39-59).

16.   As per **claim 10**, Apte further discloses the method wherein said set of computer

readable instructions comprise a first code segment which, when loaded into a

processor of said client, cause said client to access said transaction server system on

said private network (col. 3, lines 15-27; col. 4, lines 8-29).

17.   As per **claim 11**, Apte further discloses the method wherein said set of computer

readable instructions comprise a second code segment which, when loaded into said

processor of said client, cause said client to pass said transaction-specific information to

said transaction server system (col. 1, lines 45-67; col. 3, lines 15-27; col. 4, lines 30-

43).

18.   As per **claim 12**, Apte further discloses the method for enhancing security of

network transactions comprising:

        receiving over public internet, information relating to a pending transaction

between a vendor server and a client (col. 3, lines 28-58);

sending a message addressed to said client over said public Internet with a set of

computer readable instructions having transaction-specific information, said set of

computer readable instructions comprising access instructions for connecting said client

to a transaction server system on a private network such that sensitive information

relating to said transaction is directed to said transaction server system (col. 3, lines 28-

67; col. 4, lines 1-25, 30-43)

wherein said message is a transaction message and further comprising, prior to

said sending said transaction message, sending a set-up message with a set of

computer executable instructions for determining resources of said client for connecting

to said private network (col. 3, lines 15-27; "the software is downloaded and setup

occurred prior to sending"; see also col. 4, lines 44-55).

19.   As per **claim 13**, Apte further discloses the method further comprising receiving

from said client over public internet an indication of resources of said client and

provisioning said set of computer instructions based, in part, on said indication of

resources (col. 3, lines 15-27).

20.   As per **claim 14**, Apte further discloses the method wherein said set of computer

readable instructions further comprises instructions for determining resources of said

client for connecting to said private network (col. 3, lines 15-27).

21.   As per **claim 15**, Apte further discloses the method further comprising sending

said information relating to a pending transaction to said transaction server system over a secure link prior to said receiving a transaction identifier and private network access information (col. 1, lines 45-67).

22.   As per **claim 16**, Apte further discloses the method wherein said information relating to a pending transaction further comprises a location of a data product which is subject of said pending transaction and access codes for use in accessing said data product (col. 4, lines 30-43, 56-63).

23.   As per **claim 18**, Apte further discloses the method wherein said receiving and said sending are performed at a web server and further comprising, at a transaction server system: receiving customer-sensitive information and transaction identification information consequent upon execution of said set of computer readable instructions at a client; selectively sending transaction approval information (col. 4, lines 30-43).

24.   As per **claim 19**, Apte further discloses a computer-readable medium storing statements and instructions for use in the execution in a web server (col. 3, lines 15-25).

25.   As per **claim 20**, A web server adapted for performing the method of claim 1 is an improper dependent claim as it recites no further limitation.

26.   As per **claim 21**, Apte discloses a method for enhancing security of network

purchase transactions, comprising:

receiving, over a public Internet, information relating to a pending purchase

transaction between a vendor server and a client (col. 3, lines 39-59);

sending a message addressed to said client over said public Internet with a set of

computer executable instructions for determining resources of said client for connecting

to a private network (col. 3, lines 15-25).

27.   As per **claim 34**, Apte further discloses the method wherein said receiving is

receiving over a public internet (col. 1, lines 45-55).

28.   As per **claim 35**, Apte further discloses the method wherein said information

relating to a pending transaction further comprises said transaction identifier (col. 2,

lines 39-54).

Claims 22-32, are rejected under 35 U.S.C. 102(b) as being anticipated by

Furman European Patent Application No. EP 0 926 611 A2.

29   As per **claim 22**, Furman et al discloses a method for enhancing security of

network transactions, comprising:

receiving information relating to a pending transaction over a secure link, said

information including access information for a data product (fig. 2A; 0020; 0021); and

determining an appropriate chargeable telephone number based upon said

purchase amount (fig. 2A; 0021);

storing said a transaction identifier, said telephone number, and said access

information (see figs. 2A, 2B and 2C; 0020; 0021; 0022) and

returning said transaction identifier and said telephone number over said secure

link (Fig. 2A).

30.   As per **claim 23**, Furman et al further discloses the method further comprising:

receiving a telephone call made to said telephone number from a caller (fig. 2A);

during said call, receiving caller identity information (fig. 2A; 0022; 0023);

during said call, receiving said transaction identifier (fig. 2A; 0024);

storing said caller identity information with said transaction identifier (fig. 2A);

providing said access information to said data product to said caller (figs. 1, 2A

and 2B).

31.   As per **claim 24**, Furman et al further discloses the method wherein said

telephone number is a flat rate number (0009).

32.   As per **claim 25**, Furman et al further discloses the method wherein said

telephone number is a fixed charge per minute number and wherein said determining

further comprises determining a number of minutes based on said purchase amount

and storing said number of minutes (0009).

33.   As per **claim 28**, Furman et al further discloses the method wherein said secure

link is a data network link (fig. 1).

34.   As per **claim 30**, Furman et al further discloses the method wherein said

receiving comprises receiving said transaction identifier (fig. 2; 0021)

35.   As per **claim 31**, Furman et al further discloses the method wherein said

receiving, said determining, said storing, and said returning are undertaken at a

transaction server (fig. 1).

36.   As per **claim 32**, Furman et al further discloses the method wherein said

receiving is receiving from a facilitation server (Audio Browsing Platform) and said

returning is returning to said facilitation server (fig. 1).

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claim 27 is rejected under 35 U.S.C. 102(e) as being anticipated by Underwood

U.S. Patent 6704873 B1.

27.   As per **claim 27**, Underwood discloses an internet service provider having a

border gateway protocol table with an entry mapping at least one Internet Protocol

address to a port connected to a private network (fig. 126).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claim 17, is rejected under 35 U.S.C. 103(a) as being unpatentable over Apte

U.S. Patent No. 5,778,173 in view of Klingman U.S. Patent 5,729,594.

38.   As per **claim 17**, Apte failed to disclose the method wherein said information

relating to a pending transaction includes an internet protocol ("IP") address of said

client and wherein said private network access information comprises an IP address

which an internet service provider ("ISP") of said client maps to a port connected over

said private network to said transaction server system.

Klingman discloses the method wherein said information relating to a pending

transaction includes an internet protocol ("IP") address of said client and wherein said

private network access information comprises an IP address which an internet service

provider ("ISP") of said client maps to a port connected over said private network to said

transaction server system (col. 18, lines 34-60).

Accordingly it would have been obvious to one of ordinary skill in the art at time of

applicant's invention to modify the method of Apte and incorporate the method wherein

said information relating to a pending transaction includes an internet protocol ("IP")

address of said client and wherein said private network access information comprises

an IP address which an internet service provider ("ISP") of said client maps to a port

connected over said private network to said transaction server system as taught by

Klingman in order to show ensure that the correct client is communicating with the

secure server.

Claims 26, is rejected under 35 U.S.C. 103(a) as being unpatentable over Apte U.S. Patent No. 5,778,173 in view of Matsuda et al U.S. Patent Application Publication 2003/0195843.

39.   As per **claim 26**, Apte discloses a computer readable medium storing computer-readable instructions which, when read by a client, cause the client to:

dial and establish a connection to a specific telephone number over a telephone network (see fig. 1; col. 3, lines 39-55; col. 4, lines 7-44);

send a transaction-specific identifier over said connection (col. 4, lines 30-44);

receive a message over said connection with a universal resource locator (URL) and password (col. 4, lines 8-25);

drop said connection (col. 3, lines 15-27);

connect to said URL over a public Internet (col. 6, lines 27-50).

What Apte does not explicitly teach is display said password.

Matsuda et al discloses a method that display password (0069; 0070)

Accordingly it would have been obvious to one of ordinary skill in the art at time of applicant's invention to modify the method of Apte and incorporate the method that display said password as taught by Matsuda et al in order to further secure communications with the transaction server by ensuring that the user is the right party.

Claim 29, is rejected under 35 U.S.C. 103(a) as being unpatentable over Furman et al European Patent Application No. EP 0 926 611 A2 in view of Matsuda et al U.S. Patent Application Publication 2003/0195843

40.   As per claim 29, Furman et al fails to explicitly disclose the method wherein said access information comprises a URL and a password.

Matsuda et al discloses method wherein said access information comprises a URL and a password (0069; 0070).

Accordingly it would have been obvious to one of ordinary skill in the art at time of applicant's invention to modify the method of Furman et al and incorporate the method wherein said access information comprises a URL and a password as taught by Matsuda et al in order to further secure communications with the transaction server by ensuring that the user is the right party.

Claim 33, is rejected under 35 U.S.C. 103(a) as being unpatentable over Furman et al European Patent Application No. EP 0 926 611 A2 in view of Paik et al U.S. Patent No. 6,675,008 B1.

41.   As per claim 33, Furman et al failed to explicitly disclose the method wherein said caller identity information comprises at least one of a caller line identification (CLID) and a calling party name display (CPND).

Paik et al discloses the method wherein said caller identity information comprises at least one of a caller line identification (CLID) and a calling party name display (CPND) (col. 1, lines 20-30).

Accordingly it would have been obvious to one of ordinary skill in the art at time of applicant's invention to modify the method of Furman et al and incorporate the method said caller identity information comprises at least one of a caller line identification (CLID) and a calling party name display (CPND) as taught by Matsuda et al in order to further secure the network by identifying the calling party.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Examiner's Note: Examiner has cited particular columns and line numbers in the references as applied to the claims below for the convenience of the applicant. Although the specified citations are representative of the teachings in the art ad are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested that the applicant, in preparing the responses, fully consider the references in entirety as potentially teaching all or part of

the claimed invention, as well as the context of the passage as taught by the prior art or

disclosed by the examiner.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Charlie C. L. Agwumezie whose number is **(571) 272-**

6838. The examiner can normally be reached on Monday – Friday 8:00 am – 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, James Trammell can be reached on **(571) 272 – 6712**.

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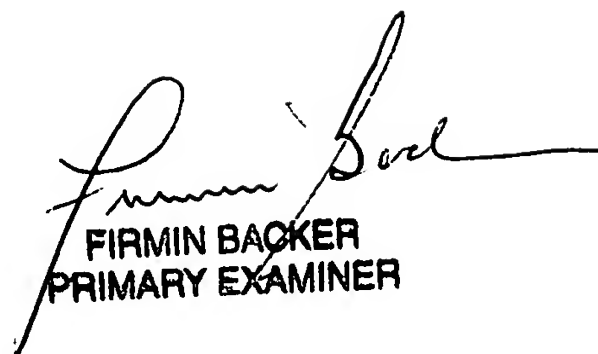
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Patent Examiner
Art Unit 3621
April 26, 2006

FIRMIN BACKER
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